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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/590,740 | UETABIRA ET AL. |
| | Examiner | Art Unit | |
| | ROBERT STEVENS | 2162 | |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>12 November 2008</u>.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>44-124</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>44-124</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 August 2006 and 23 July 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>20081007, 20070508, 20060824</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)               **Office Action Summary**               Part of Paper No./Mail Date 20090107

## DETAILED ACTION

### *Information Disclosure Statement*

1.     The information disclosure statement filed 10/18/2005 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent

literature publication or that portion which caused it to be listed; and all other information or that

portion which caused it to be listed. It has been placed in the application file, but the information

referred to therein has not been considered. Copies of the cited non-patent literature documents

were not included with the information disclosure statement, and therefore not considered.

The IDS filed 5/8/07 did not include a copy of Foreign Document Number JP 10-91638

published 1998-04-10, and the IDS filed 8/24/06 did not include a copy of Document ISR of

PCT/JP05/015770.

### *Priority*

2.     Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

### *Claim Rejections - 35 USC § 101*

3.     35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions
> and requirements of this title.

4.      **Claims 44-126 are rejected under 35 U.S.C. 101** because the claimed invention is

directed to non-statutory subject matter.


      **Independent claims 44, 51, 54, 57, 63, 64, 68, 71, 75, 78, 81 and 83** are directed to

software per se (i.e., a software system or apparatus). See the specification from page 22 line 25

to page 23 line 1, discussing that functional block may be "realized solely by ... the software".

These claims encompass a mere collection of software modules and thus lack the necessary

physical articles or objects (e.g., hardware elements) to constitute a machine or a manufacture

within the meaning of 35 USC §101. These claims are clearly not a series of steps or acts to be a

process nor are they a combination of chemical compounds to be a composition of matter. As

such, these claims fail to fall within a statutory category.


      **Claims 44, 51, 54, 57, 63, 64, 68, 71, 75, 78, 81 and 83, and other claims that depend

on them**, are not patent eligible because these claims fail to fall within a statutory category.



                    ***Claim Rejections - 35 USC § 112***

5.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming
> the subject matter which the applicant regards as his invention.


6.      **Claims 44-124 are rejected under 35 U.S.C. 112, second paragraph**, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. These claims are vague and ambiguous, and thus, their scope
is indeterminable.

   **Regarding independent claims 44, 51, 54, 57, 63, 64, 68, 78, 81 and 83**: These claims
are unclear. There are no criteria for determining the meaning of the terminology "a degree of
reliability". Additionally, there are no criteria for determining how much increase/decrease in
such reliability is required. As such, the scope of these claims is indeterminable.

   **Claims 44, 51, 54, 57, 63, 64, 68, 78, 81 and 83, and other claims that depend on
them**, are not patent eligible because these claims are vague and ambiguous, and thus, the scope
of each is indeterminable.

   **Regarding independent claims 71 and 75**: These claims are unclear. There are no
criteria for determining how an asset value is to be estimated. For example, how is an asset
value to be estimated from information such as a client name? Additionally, there are no criteria
for determining how much increase/decrease in such value is required. As such, the scope of
these claims is indeterminable.

   **Claims 71 and 75, and other claims that depend on them**, are not patent eligible
because these claims are vague and ambiguous, and thus, the scope of each is indeterminable.

   ***Claim Rejections - 35 USC § 103***

7.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

8.      **Claims 44-50, 63-77, 85 and 89 are rejected under 35 U.S.C. 103(a)** as being

unpatentable over Vora et al. (US Patent No. 5,819273, hereafter referred to as "Vora") in view

of Hurst-Hiller et al. (US Patent Application Publication No. 2006/0015573, hereafter referred to

as "Hurst-Hiller").


        **Regarding independent claim 44**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a collection unit*

*which collects contents, to be evaluated, posted on a web page via a network at a*

*predetermined timing;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.)

        However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, depending on whether or not it is possible for the*

*collection unit to collect the contents to be evaluated.* (See Hurst-Hiller Abstract discussing

redirecting a user's search to identical content upon an HTTP 404 access failure message.)

        It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search

of network resources.


     **Regarding claim 45**: Vora teaches *an acquisition unit which acquires a search*

*conditional statement from a user;* (See Vora col. 9 lines 38-51 describing entry of a user search

request.) *a search unit which searches contents matching the acquired search conditional*

*statement;* (See Vora Fig. 3B #323 and 325 teaching performance of a search request.)

     However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-

Hiller, though, discloses *and a reliability presenting unit which presents to the user a degree of*

*reliability of the searched contents.* (See Hurst-Hiller Abstract discussing detection of a 404

access error.)


     **Regarding claim 46**: Vora does not explicitly teach the remaining limitations as

claimed. Hurst-Hiller, though, discloses *a prediction unit which predicts the degree of*

*reliability of the contents to be evaluated, based on an element contributed to estimating a*

*duration of contents contained in the contents to be evaluated, wherein the reliability*

*presenting unit presents the predicted reliability to the user.* (See Hurst-Hiller Abstract

discussing reception of a 404 access error indicating that a web page is inaccessible and therefore

unreliable.)

**Regarding claim 47**:  Vora does not explicitly teach the remaining limitations as claimed.  Hurst-Hiller, though, discloses *wherein the reliability control unit gradually increases the degree of reliability of the contents to be evaluated, in a period of time during which the contents to be evaluated is acquired continuously at a predetermined timing by the collection unit.* (See Hurst-Hiller Abstract discussing redirection to sources of identical content upon a 404 access error.)

**Regarding claim 48**:  Vora does not explicitly teach the remaining limitations as claimed.  Hurst-Hiller, though, discloses *a history increase range controlling unit which controls an increase range in the degree of reliability of the contents to be evaluated, according to a history on whether or not it is possible for the collection unit to collect the contents to be evaluated.* (See Hurst-Hiller Fig. 3 #102 showing a search history log.)

**Regarding claim 49**:  Vora does not explicitly teach the remaining limitations as claimed.  Hurst-Hiller, though, discloses *a relationship determining unit which determines the presence or absence of a relationship between highly reliable contents and the contents to be evaluated, wherein the reliability control unit controls in a manner that an increase range of the contents to be evaluated when the presence of a relation is determined by the relationship determining unit is set higher than that when the absence thereof is determined.* (See Hurst-Hiller paragraph [0013] discussing the absence of or inability to access a page, in the context of the Abstract discussing the redirection to identical or similar content.)

**Regarding claim 50**: Vora teaches *wherein, based on whether or not related information indicative of the presence of a relationship between highly reliable contents and the contents to be evaluated is contained in the highly reliable contents, the relationship determining unit determines the presence or absence of a relationship between highly reliable contents and the contents to be evaluated*. (See Vora Abstract discussing the determination of content availability.)

**Claim 63** is substantially similar to claim 44, and therefore likewise rejected.

**Regarding independent claim 64**: Vora teaches *An information search provision system, comprising: a contents providing apparatus which posts contents to be evaluated, on a web page;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.) *a terminal apparatus which accesses the contents to be evaluated, via a network;* (See Vora Fig. 4A showing a search GUI running on an apparatus.) *and an information search provision apparatus which acquires a search conditional statement and provides contents, matching the search conditional statement, as a search result, wherein the terminal apparatus includes an information transmitting unit which transmits client information associated with the terminal apparatus,* (See Vora Fig. 1 #201 teaching the scheduling of a search request.) *and wherein the information search provision apparatus includes: an information receiver which receives directly or indirectly client information transmitted from the terminal apparatus that has*

*accessed via the network the contents to be evaluated;* (See Vora Fig. 4A showing a search GUI

that receives search results sent to the client's IP address.)

However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-

Hiller, though, discloses *and a reliability varying unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, based on the client information.* (See Hurst-Hiller

Abstract discussing redirecting a user's search to identical content upon an HTTP 404 access

failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search

of network resources.


**Regarding claim 65**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hurst-Hiller, though, discloses *wherein the information transmitting unit transmits,*

*as the client information, information related to access to the contents to be evaluated, and*

*wherein the reliability varying unit increases or decreases the degree of reliability of the*

*contents to be evaluated, according to a status of access from the terminal apparatus to the*

*contents to be evaluated.* (See Hurst-Hiller Abstract discussing the reception of 404 error

messages based upon access ability.)

    **Regarding claim 66**:  Vora does not explicitly teach the remaining limitations as
claimed.  Hurst-Hiller, though, discloses ***wherein the information transmitting unit transmits,
as the client information, information transferred from the terminal apparatus to the contents
to be evaluated, and wherein the reliability varying unit increases or decreases the degree of
reliability of the contents to be evaluated, according to the information transferred from the
terminal apparatus to the contents to be evaluated.*** (See Hurst-Hiller Abstract discussing the
reception of 404 error messages based upon access ability.)

    **Regarding claim 67**:  Vora does not explicitly teach the remaining limitations as
claimed.  Hurst-Hiller, though, discloses ***wherein when the terminal apparatus has accessed the
contents to be evaluated, the contents providing apparatus transmits information on access
from the terminal apparatus to the contents to be evaluated and/or information transferred
from the terminal apparatus to the contents to be evaluated, from the terminal apparatus to
the information search provision apparatus.*** (See Hurst-Hiller Abstract discussing 404 error
messages and providing like information upon access failure.)

    **Regarding independent claim 68**:  Vora teaches ***An information search provision
apparatus for acquiring a search conditional statement and providing contents, matching the
search conditional statement, as a search result, the apparatus including: an information
receiver which receives directly or indirectly client information transmitted from a terminal***

*apparatus that has accessed the contents to be evaluated;* (See Vora Fig. 1 #201 teaching the

scheduling of a search request.)

However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-

Hiller, though, discloses *and a reliability varying unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, based on the client information.* (See Hurst-Hiller

Abstract discussing redirecting a user's search to identical content upon an HTTP 404 access

failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search

of network resources.

**Regarding claim 69**: Vora does not explicitly teach the remaining limitations as

claimed. Hurst-Hiller, though, discloses *wherein the information receiver receives, as the client*

*information, information on a status of access from the terminal apparatus to the contents to*

*be evaluated, and wherein the reliability varying unit increases or decreases the degree of*

*reliability of the contents to be evaluated, according to the access status.* (See Hurst-Hiller

Abstract discussing 404 access error messages and delivery of similar content if the originally

requested page was inaccessible.)

  **Regarding claim 70**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hurst-Hiller, though, discloses *wherein the information receiver receives, as the client*

*information, information transferred from the terminal apparatus to the contents to be*

*evaluated, and wherein the reliability varying unit increases or decreases the degree of*

*reliability of the contents to be evaluated, according to the information transferred from the*

*terminal apparatus to the contents to be evaluated.* (See Hurst-Hiller Abstract discussing 404

access error messages and delivery of similar content if the originally requested page was

inaccessible.)

  **Regarding independent claim 71**:  Vora teaches *An information search provision*

*system, comprising: a contents providing apparatus which posts contents to be evaluated, on a*

*web page;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.) *a terminal*

*apparatus which accesses the contents to be evaluated, via a network;* (See Vora Fig. 4A

showing a search GUI running on an apparatus.) *and an information search provision*

*apparatus which acquires a search conditional statement and provides contents, matching the*

*search conditional statement, as a search result, wherein the terminal apparatus includes an*

*information transmitting unit which transmits client information associated with the terminal*

*apparatus,* (See Vora Fig. 1 #201 teaching the scheduling of a search request.) *and wherein the*

*information search provision apparatus includes: an information receiver which receives*

*directly or indirectly client information transmitted from the terminal apparatus that has*

*accessed via the network the contents to be evaluated;* (See Vora Fig. 4A showing a search GUI

that receives search results sent to the client's IP address.)

However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and an asset value varying unit which increases or decreases an asset*

*value estimated for the contents to be evaluated, based on the client information.*  (See Hurst-

Hiller Abstract discussing redirecting a user's search to identical content upon an HTTP 404

access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018].  These references were all applicable to the same field of endeavor, i.e., search

of network resources.


**Regarding claim 72**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hurst-Hiller, though, discloses *wherein the information transmitting unit transmits,*

*as the client information, information related to access to the contents to be evaluated,* (See

Hurst-Hiller Fig. 1 #102 showing search results transmitted to the client's IP address.) *and*

*wherein the asset value varying unit increases or decreases the asset value according to a*

*status of access from the terminal apparatus to the contents to be evaluated.* (See Hurst-Hiller

Abstract discussing redirecting a user's search to identical content upon an HTTP 404 access

failure message.)

**Regarding claim 73**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses *wherein the information transmitting unit transmits, as the client information, information transferred from the terminal apparatus to the contents to be evaluated,* (See Hurst- Hiller Fig. 1 #102 showing search results transmitted to the client's IP address.) *and wherein the asset value varying unit increases or decreases the asset value according to the information transferred from the terminal apparatus to the contents to be evaluated.* (See Hurst-Hiller Abstract discussing the providing of similar content if access fails.)

**Regarding claim 74**: Vora teaches *wherein when the terminal apparatus has accessed the contents to be evaluated, the contents providing apparatus transmits information on access from the terminal apparatus to the contents to be evaluated and/or information transferred from the terminal apparatus to the contents to be evaluated, from the terminal apparatus to the information search provision apparatus.* (See Vora Fig. 4A showing a GUI including search results.)

**Regarding independent claim 75**: Vora teaches *An information search provision apparatus for acquiring a search conditional statement and providing contents, matching the search conditional statement, as a search result, the apparatus including: an information receiver which receives directly or indirectly client information transmitted from a terminal apparatus that has accessed the contents to be evaluated;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.)

However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses ***and an asset value varying unit which increases or decreases an asset value estimated for the contents to be evaluated, based on the client information.*** (See Hurst-Hiller Abstract discussing redirecting a user's search to identical content upon an HTTP 404 access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Regarding claim 76**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses ***wherein the information receiver receives, as the client information, information on a status of access from the terminal apparatus to the contents to be evaluated, and wherein the asset value varying unit increases or decreases the asset value according to the status of access from the terminal apparatus to the contents to be evaluated.*** (See Hurst-Hiller Abstract discussing 404 access error messages and delivery of similar content if the originally requested page was inaccessible.)

**Regarding claim 77**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses ***wherein the information receiver receives, as the client information, information transferred from the terminal apparatus to the contents to be***

*evaluated, and wherein the asset value varying unit increases or decreases the asset value*

*according to the information transferred from the terminal apparatus to the contents to be*

*evaluated.* (See Hurst-Hiller Abstract discussing 404 access error messages and delivery of

similar content if the originally requested page was inaccessible.)


   **Regarding dependent claim 85**: Vora teaches *a specifying unit which specifies*

*location information indicative of a location of the contents to be evaluated;* (See Vora Fig. 2B

#431 showing a GUI capability for choosing information sources.)

   However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability transform unit which transforms the degree of*

*reliability, of the contents to be evaluated, increased or decreased by the reliability control unit*

*into a degree of reliability of the location information*.  (See Hurst-Hiller Abstract discussing

redirecting a user's search to identical content upon an HTTP 404 access failure message.)


   **Claim 89** is substantially similar to claim 85, and therefore likewise rejected.




9.     **Claims 51-62, 78-84, 86-88 and 90-124 are rejected under 35 U.S.C. 103(a)** as being

unpatentable over Vora et al. (US Patent No. 5,819,273, hereafter referred to as "Vora") in view

of Hurst-Hiller et al. (US Patent Application Publication No. 2006/0015573, hereafter referred to

as "Hurst-Hiller") and Hogan et al. (US Patent No. 7,299,222, hereafter referred to as "Hogan").


     **Regarding independent claim 51**: Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a collection unit*

*which collects contents, to be evaluated, posted on a web page via a network at a*

*predetermined timing;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.)

     However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the contents to be evaluated according to a result of the determination by the*

*update determining unit.*  (See Hurst-Hiller Abstract discussing redirecting a user's search to

identical content upon an HTTP 404 access failure message.)

     It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018].  These references were all applicable to the same field of endeavor, i.e., search

of network resources.

     Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *a comparison unit which compares the collected contents to be*

*evaluated with next collected contents, to be evaluated, posted on the same web page;* (See

Hogan Fig. 1D #105 indicating that a search result page has been refreshed within the last 48

hours.) *an update determining unit which determines if the contents to be evaluated has been updated or not, based on a result of the comparison;* (See Hogan Fig. 1D #105 indicating that a search result page has been refreshed within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so enabled a designer to provide a system user with the ability to determine whether access of search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Regarding claim 52**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses *wherein the reliability control unit gradually increases the degree of reliability of the contents to be evaluated, in a period of time during which it is determined continuously at a predetermined timing that the contents to be evaluated is updated by the update determining unit.* (See Hurst-Hiller paragraph [0018] discussing training or adjusting search service results for frequently downloaded sites.)

**Regarding claim 53**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses *an update analysis unit which analyzes whether an update of the contents is intrinsically required or not, wherein the reliability control unit increases or decreases the degree of reliability of the contents to be evaluated, according to*

*results of the update determining unit and the update analysis unit.* (See Hurst-Hiller Abstract

discussing the reception of 404 access errors and redirecting to like content.)

 

 

 

**Regarding independent claim 54**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a related-contents*

*acquisition unit which acquires contents related to contents to be evaluated;* (See Vora Fig. 1

#201 teaching the scheduling of a search request.)

However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases the degree*

*of reliability of the contents to be evaluated, by referring to the extracted element.* (See Hurst-

Hiller Abstract discussing redirecting a user's search to identical content upon an HTTP 404

access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018].  These references were all applicable to the same field of endeavor, i.e., search

of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *an element extraction unit which extracts an element contributing to*

*increase or decrease in a degree of reliability of the contents to be evaluated, by referring to the acquired contents;* (See Hogan Fig. 1D #105 indicating that a search result page has been refreshed within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so enabled a designer to provide a system user with the ability to determine whether access of search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Regarding claim 55**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses *wherein, in terms of each aspect in evaluating the degree of reliability, the element extraction unit extracts an element contributing to increase or decrease in the degree of reliability of the contents to be evaluated, and wherein the reliability control unit increases or decreases the degree of reliability of the contents to be evaluated, by referring to the element extracted in terms of the each aspect in evaluating the degree of reliability.* (See Hurst-Hiller Abstract discussing the reception of 404 access errors and redirecting to like content.)

**Regarding claim 56**: Vora does not explicitly teach the remaining limitations as claimed. Hurst-Hiller, though, discloses *a classifying unit which classifies each extracted element into a first group containing elements that contribute to the increase in the degree of*

*reliability of the contents to be evaluated or a second group containing elements that*

*contribute to the decrease in the degree of reliability of the contents to be evaluated, and*

*wherein when the number of elements in the first group classified by the classifying unit is*

*greater than that in the second group, the reliability control unit increases the degree of*

*reliability of the contents to be evaluated.* (See Hurst-Hiller Abstract discussing the reception of

404 access errors and redirecting to like content.)

 

 

      **Regarding independent claim 57**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a contents*

*acquisition unit which acquires contents containing an item to be assessed;* (See Vora Fig. 1

#201 teaching the scheduling of a search request) *a contents specifying unit which specifies own*

*contents serving as an information source of the item to be assessed;* (See Vora Fig. 5 #431

showing a GUI button for selecting information resources.)

      However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the own contents and a degree of reliability of the other contents, according to the*

*decision made by the consistency determining unit.*  (See Hurst-Hiller Abstract discussing

redirecting a user's search to identical content upon an HTTP 404 access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018].  These references were all applicable to the same field of endeavor, i.e., search

of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *a consistency determining unit which determines consistency of the*

*item to be assessed in a manner that the specified own contents is compared with contents, in*

*the acquired contents, other than the own contents;*  (See Hogan Fig. 1D #105 indicating that a

search result page has been refreshed within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29.  These

references were all applicable to the same field of endeavor, i.e., search of network resources.

**Regarding claim 58**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hurst-Hiller, though, discloses *wherein when both the degree of reliability of the own*

*contents and the degree of reliability of the other contents are high and the presence of*

*consistency of the item to be assessed is determined by the consistency determining unit, the*

*reliability control unit increases both the degree of reliability of the own contents and the*

*degree of reliability of the other contents.* (See Hurst-Hiller paragraph [0018] discussing the

delivery of useful information from stored web images despite an access failure.)

 

 

       **Regarding claim 59**:  Vora teaches *and a timing specifying unit which specifies timing*

*at which the access of the access unit to the server was first successful, by referring to the*

*correspondence,* (See Vora Fig. 7B showing a GUI for specifying access times.)

       However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *an access determining unit which determines if an access of the*

*access unit to the server is allowed or not;* (See Hurst-Hiller Abstract discussing the

determination of access to a web page and HTTP 404 error messages.) *an access history storage*

*which stores correspondence between a decision result by the access determining unit and*

*timing at which the access unit has accessed the server;* (See Hurst-Hiller Fig. 3 #102 showing

a search history log.) *wherein the reliability control unit starts performing a control of*

*increasing or decreasing the degree of reliability at the specified timing.* (See Hurst-Hiller

Abstract discussing redirecting a user's search to identical content upon an HTTP 404 access

failure message.)

       It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora and Hogan, because to do so

allowed a designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller

in paragraph [0018].  These references were all applicable to the same field of endeavor, i.e.,

search of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, discloses *an access unit which accesses a server by referring to location*

*information indicative of a location of the server open to the public through a web page;* (See

Hogan Fig. 2B showing a GUI for searching the Web.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These

references were all applicable to the same field of endeavor, i.e., search of network resources.

**Claims 60-62** are each substantially similar to claim 59, and therefore likewise rejected.

**Regarding independent claim 78**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a collection unit*

*which collects contents to be evaluated and contents, other than said evaluating contents, for*

*use in comparison both posted on a web page via a network at a predetermined timing;* (See

Vora Fig. 1 #201 teaching the scheduling of a search request.)

However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, according to a result obtained from the update*

*determining unit.* (See Hurst-Hiller Abstract discussing redirecting a user's search to identical

content upon an HTTP 404 access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search

of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *an update determining unit which acquires respectively publication*

*circumstances of a decision item involving a provider of the contents to be evaluated, about the*

*contents to be evaluated and the comparing contents and determines if the contents to be*

*evaluated is properly updated, by comparing the publication circumstance of a decision item in*

*the contents to be evaluated with that in the comparing contents;* (See Hogan Fig. 1D #105

indicating that a search result page has been refreshed within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These

references were all applicable to the same field of endeavor, i.e., search of network resources.

 **Regarding claim 79**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hogan, though, discloses *wherein when the decision item has not been posted in the*

*contents to be evaluated at the publication of the decision item in the comparing contents, the*

*update determining unit determines that the contents to be evaluated is not properly updated.*

(See Hogan Fig. 2A #205c showing a search result that is "currently unavailable".)


 **Regarding claim 80**:  Vora does not explicitly teach the remaining limitations as

claimed.  Hogan, though, discloses *wherein when the decision item was posted in the*

*comparing contents after the decision item was posted in the contents to be evaluated, the*

*update determining unit determines that the contents to be evaluated is properly updated.* (See

Hogan Fig. 1D #105 indicating that a search result page has been refreshed within the last 48

hours.)



 **Regarding independent claim 81**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a collection unit*

*which collects contents to be evaluated posted on a web page via a network at a predetermined*

*timing;* (See Vora Fig. 1 #201 teaching the scheduling of a search request.)

 However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, according to a result obtained from the identity*

*determining unit.* (See Hurst-Hiller Abstract discussing redirecting a user's search to identical

content upon an HTTP 404 access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018]. These references were all applicable to the same field of endeavor, i.e., search

of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *an identity determining unit which determines the identity of the*

*contents, to be evaluated, collected at different timings;* (See Hogan Fig. 1D #105 indicating

that a search result page has been refreshed within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These

references were all applicable to the same field of endeavor, i.e., search of network resources.

**Regarding claim 82**: Vora does not explicitly teach the remaining limitations as

claimed. Hogan, though, teaches *wherein the identity determining unit determines whether or*

*not the contents to be evaluated collected at early timing is identical to part of the contents to*

*be evaluated at subsequent timing, and wherein when it is determined that the contents to be*

*evaluated collected at early timing is identical to part of the contents to be evaluated at*

*subsequent timing, the reliability control unit increases the degree of reliability of the contents*

*to be evaluated;* (See Hogan Fig. 1D #105 indicating that a search result page has been refreshed

within the last 48 hours.)

 

 

**Regarding independent claim 83**:  Vora teaches *An information search provision*

*apparatus for acquiring a search conditional statement and providing contents, matching the*

*search conditional statement, as a search result, the apparatus comprising: a collection unit*

*which collects contents to be evaluated and contents, other than said evaluating contents, for*

*use in comparison both posted on a web page via a network at a predetermined timing;* (See

Vora Fig. 1 #201 teaching the scheduling of a search request.)

However, Vora does not explicitly teach the remaining limitations as claimed.  Hurst-

Hiller, though, discloses *and a reliability control unit which increases or decreases a degree of*

*reliability of the contents to be evaluated, according to a result obtained from the uniqueness*

*determining unit.* (See Hurst-Hiller Abstract discussing redirecting a user's search to identical

content upon an HTTP 404 access failure message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora, because to do so allowed a

designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller in

paragraph [0018].  These references were all applicable to the same field of endeavor, i.e., search

of network resources.

Additionally, Vora does not explicitly teach the remaining limitations as claimed.

Hogan, though, teaches *a uniqueness determining unit which compares the contents to be*

*evaluated with the comparing contents which had already been collected at the time of*

*collection of the contents to be evaluated and determines uniqueness of the contents to be*

*evaluated;* (See Hogan Fig. 1D #105 indicating that a search result page has been refreshed

within the last 48 hours.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These

references were all applicable to the same field of endeavor, i.e., search of network resources.


**Regarding claim 84**: Vora teaches *wherein when the contents to be evaluated is*

*contents such that the comparing contents which had already been collected at the time of*

*collection of the contents to be evaluated is altered, the uniqueness determining unit*

*determines that the contents to be evaluated is not unique,* (See Vora Fig. 2B #431 showing a

GUI capability for choosing information resources.)

However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-

Hiller, though, discloses *and wherein the reliability control unit decreases the degree of*

*reliability of the contents, to be evaluated, which was determined to be contents such that the*

*comparing contents is altered.* (See Hurst-Hiller Abstract discussing the supplying of similar

content.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora and Hogan, because to do so

allowed a designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller

in paragraph [0018]. These references were all applicable to the same field of endeavor, i.e.,

search of network resources.

**Regarding claim 86**: Vora teaches *a specifying unit which specifies location*

*information indicative of a location of the contents to be evaluated;* (See Vora Fig. 2B #431

showing a GUI capability for choosing information resources.)

However, Vora does not explicitly teach the remaining limitations as claimed. Hurst-

Hiller, though, discloses *and a reliability transform unit which transforms the degree of*

*reliability, of the contents to be evaluated, increased or decreased by the reliability control unit*

*into a degree of reliability of the location information.* (See Hurst-Hiller Abstract discussing the

supplying of similar content.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hurst-Hiller for the benefit of Vora and Hogan, because to do so

allowed a designer to enhance a user's search or navigation experience, as taught by Hurst-Hiller

in paragraph [0018]. These references were all applicable to the same field of endeavor, i.e.,

search of network resources.

**Claims 87-88 and 90-92** are each substantially similar to claim 86, and therefore likewise rejected.

**Regarding claim 93**: Vora teaches *a location information classifying unit which classifies the location information into a plurality of groups each of which belongs to a common attribute;* (See Vora Fig. 10 showing a GUI for indicating information sources.) However, Vora does not explicitly teach the remaining limitations as claimed. Hogan, though, discloses *and a location information group reliability calculating unit which calculates a degree of reliability of location information for each of the plurality of classified groups.* (See Hogan col. 7 line 55 – col. 8 line 2 describing availability of sources and appropriateness of sources.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so enabled a designer to provide a system user with the ability to determine whether access of search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Claims 94-100** are each substantially similar to claim 93, and therefore likewise rejected.

**Regarding claim 101**: Vora does not explicitly teach the remaining limitations as claimed. Hogan, though, discloses *wherein the specifying unit specifies a domain name as the*

*location information, and wherein the reliability transform unit transforms the degree of*

*reliability of the contents to be evaluated into a degree of reliability of the domain name.* (See

Hogan col. 12 lines 32-36 discussing the sorting of contents based on content source.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These

references were all applicable to the same field of endeavor, i.e., search of network resources.


**Claims 102-108** are each substantially similar to claim 101, and therefore likewise

rejected.


**Regarding claim 109**: Vora does not explicitly teach the remaining limitations as

claimed. Hogan, though, discloses *wherein the specifying unit specifies an IP address as the*

*location information, and wherein the reliability transform unit transforms the degree of*

*reliability of the contents to be evaluated into a degree of reliability of the IP address.* (See

Hogan col. 7 line 58 – col. 8 line 6 discussing evaluating of the reliability of web page search

results, it being noted that a web page is associated with a URL / IP address.)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so

enabled a designer to provide a system user with the ability to determine whether access of

search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Claims 110-116** are each substantially similar to claim 109, and therefore likewise rejected.

**Regarding claim 117**: Vora does not explicitly teach the remaining limitations as claimed. Hogan, though, discloses *wherein the reliability transform unit calculates a degree of reliability of an electronic mail address including the location information, based on the obtained degree of reliability of the location information.* (See Hogan col. 7 line 58 – col. 8 line 2 discussing evaluating reliability based upon a file type.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hogan for the benefit of Vora in view of Hurst-Hiller, because to do so enabled a designer to provide a system user with the ability to determine whether access of search results is appropriate or desirable, as taught by Hogan in col. 6 lines 20-29. These references were all applicable to the same field of endeavor, i.e., search of network resources.

**Claims 118-124** are each substantially similar to claim 117, and therefore likewise rejected.

## *Conclusion*

10.    The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

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### Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Robert Stevens/
Examiner
Art Unit 2162

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